



IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,
v.
DANIEL LOPEZ III,
Defendant.

Case No. 2:16-CR-00048-PA
ORDER OF DETENTION
[Fed. R. Crim. P. 32.1(a)(6);
18 U.S.C. § 3143(a)(1)]

On March 11, 2022, Defendant Daniel Lopez III made his initial appearance on the petition for revocation of supervised release and warrant for arrest issued on February 22, 2022. Deputy Federal Public Defender Chad Pennington was appointed to represent Defendant. A detention hearing was held.

Pursuant to Federal Rule of Criminal Procedure 32.1(a)(6) and 18 U.S.C. § 3143(a), following Defendant's arrest for alleged violation(s) of the terms of Defendant's probation / supervised release,

1 The Court finds that:

2 ☒ Defendant has not carried his burden of establishing by clear and
3 convincing evidence that Defendant will appear for further proceedings as
4 required if released [18 U.S.C. § 3142(b-c)]. This finding is based on:

5 ☒ Defendant has an extensive and recent history of substance
6 abuse, and the allegations in this matter are that (a) having been ordered to
7 refrain from use of any controlled substances, on or before December 16,
8 2021, Defendant submitted a urine specimen that tested positive for
9 methamphetamine, amphetamine and TCH metabolite, and (b) on January
10 18, 2022, he failed to report for intake at an outpatient substance abuse
11 treatment and counseling program as required.

12 ☒ The United States Probation Office also alleges that having
13 been ordered by the Court to report to the Probation Officer any change in
14 residence or employment within 10 days, on or about February 3, 2022,
15 Defendant changed his residence and failed to notify the Probation Officer.

16 ☒ Defendant has an extensive criminal history, as set forth
17 below. His repeated inability to comply with the law is one factor showing a
18 substantial risk that he will not appear in court as required.

19 ☒ Defendant has not carried his burden of establishing by clear and
20 convincing evidence that Defendant will not endanger the safety of any other
21 person or the community if released [18 U.S.C. § 3142(b-c)]. This finding is
22 based on:

23 ☒ Defendant has an extensive criminal history, including
24 several convictions involving firearms. He has sustained (a) the February
25 2017 conviction for felon in possession of firearm and ammunition in violation
26 of 18 U.S.C. § 922(g)(1) in this case; (b) a June 2016 conviction for felon in
27 possession of a firearm in violation of California Penal Code § 29800(A)(1); (c)
28 a July 2011 conviction for possession of a controlled substance while armed in

1 violation of California Health and Safety Code § 11370.1(A); (d) a January
2 2008 conviction for felon in possession of a firearm in violation of 18 U.S.C.
3 § 922(g)(1) in this district; (e) April 2006 convictions for receiving a stolen
4 vehicle and felon in possession of a firearm in violation of the California
5 Penal Code; (f) a May 2004 conviction for grand theft auto in violation of the
6 California Penal Code; and (g) a November 1999 conviction for corporal injury
7 to spouse in violation of the California Penal Code.

8 ☒ The Affidavit in support of the Criminal Complaint in Case
9 No. 2:22-mj-01002 filed on March 10, 2022, alleges that in January 2022,
10 Defendant pointed a gun at his sister with his finger on the trigger and said
11 he was going to shoot her.

12 ☒ The Affidavit in support of the Criminal Complaint in Case
13 No. 2:22-mj-01002 also alleges that when Defendant was arrested, he
14 possessed a firearm loaded with .380 caliber ammunition and a backpack
15 containing a baggie with nine rounds of .380 ammunition. He is also alleged
16 to have possessed 4.25 grams of suspected methamphetamine and a pipe in
17 his pocket.

18 ☒ Defendant has an extensive and recent history of substance abuse,
19 as set forth above.

20 It is therefore ORDERED that the defendant is remanded to the
21 custody of the U.S. Marshal pending further proceedings in this matter.

23 | Dated: March 14, 2022

PATRICIA DONAHUE

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UNITED STATES MAGISTRATE JUDGE